

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

1567 56TH STREET, LLC, 1569 56TH STREET,
LLC, and SHLOMO BRAUN,

Plaintiffs,

- against -

ARTHUR SPITZER, JOSH WEINFELD,
ISIDORE BLEIER, 1567 56 NY LLC, DEKEL
ABSTRACT LLC, ABRAHAM TEITELBAUM,
ROSA FUNDING LLC, PS FUNDING, INC., and
JEHUDA WEISZ,

Defendants.

Index: 1:22-cv-04873-KAM-RML

DOCUMENT DEMANDS

TO: Defendant Josh Weinfeld, Isidore Bleier, Rosa Funding LLC (collectively as
“Defendant”) and Counsel:

PLEASE TAKE NOTICE that pursuant to the Federal Rules of Civil Procedure; Plaintiffs
demand production of documents to Plaintiff’s counsel, **Levi Huebner & Associates PC, 488
Empire Boulevard, Suite 100, Brooklyn, NY 11225**, further delineated as follows:

GENERAL INSTRUCTIONS

Any references to “Defendant,” “Defendants”, “Defendant’s” or “Defendant(s)” is treated
as referring to each and every Defendant named within this lawsuit, individually and collectively,
as may be appropriate. As used herein, any references that appears to use masculine or feminine,
and any references indicating the use of singular or plural, are interchangeable.

If any objection is made to any of the following documents demands, the Defendants must
state such objection and state the relevant legal or factual basis for such objection. If any objection
is made based upon a claim of privilege as to any response, Defendants must state the legal or
factual basis for the privilege invoked, and Defendants must provide a detailed privilege log to
support the invocation of such privilege.

Each and every document requested herein is continued in nature pursuant to the Federal Rules of Civil Procedure. Defendants are obligated to reasonably amend responses and provide supplemental disclosure and serve them on the undersigned Plaintiffs' counsel, whenever any updated information renders a production incomplete or inaccurate.

The term "document" or "documents" means every writing or recorded material of every type and description, of any kind, that is in the possession, control or custody of Defendants, which Defendants have knowledge, whether originals, copies or facsimiles, even electronic. Such writings or recordings include, and are not limited to, collection notes, electronic computer, emails, diskettes, computer hard drives, tape backups, Zip-type disks, magnetic media of any kind, CD-ROM, DVD, hard drives, flash cards, correspondence, memoranda, stenographic notes, handwritten notes, contracts, documents, rough drafts, inter-office memoranda, memoranda for the files, letters, research materials, logs, diaries, forms, bank statements, tax returns, card files, books of account, journals, ledgers, invoices, diagrams, minutes, manuals, studies, publications, pamphlets, pictures, films, voice recordings, reports, surveys, minutes, statistical compilations, data processing cards, computer records, tapes, print-outs, agreements, communications, state and federal governmental hearings, reports, correspondence, telegrams, memoranda, summaries or records of telephone conversations, summaries or records of personal conversations or interviews, diaries, graphs, notebooks, note charts, charts, plans, drawings, sketches, maps, summaries or records of meetings or conferences, summaries or reports of investigations or negotiations, opinions or reports of consultants, photographs, video tape, motion picture film, digital photographs, brochures, advertisements, circular, press releases, drafts, any marginal comments appearing on any document, all other writings, books of all nature and kind whether handwritten, typed, printed, mimeographed, photocopied or otherwise reproduced, all tape recordings (whether for computer,

audio, or visual replay) and all other written, printed, and recorded matter or tangible things upon which words, phrases, symbols or information of any kind are recorded, encrypted or otherwise stored.

A request to “identify” a document is a request to state the following, as applicable:

- a. The date of the document.
- b. The type of document.
- c. The names and present addresses of the person or persons who prepared the document and of the signers and addressors of the document.
- d. The name of the employer or principal whom the signers, addresses and preparers were representing.
- e. The present location of the document.
- f. The name and current business and home addresses of the present custodian of the original document, and any copies of it.
- g. A summary of the contents of the document; and
- h. If the original document was destroyed, the date and reason for or a circumstance under which it was destroyed.

This documents demand is intended to cover all relevant documents in Defendants’ possession, or subject to their custody and control, regardless of location. You must state if a responsive document is not in your custody. If there are such documents, please list and mark appended documents responsive to each request. (Federal Rules of Civil Procedure, Rule 34(b)).

Pursuant to the e-discovery requirements of the federal rules of civil procedure, Plaintiffs specifically demand herein that all discovery documents that can be produced in readable and fully

searchable electronic format be produced in that format. “Print screens,” printouts, or other manually produced copies of electronic data are unacceptable.

Plaintiffs request that the documents be made available for this inspection at a place of convenience and mutually accommodating to the parties including office of the Defendants, the Plaintiffs’ address during normal business hours, and with the least possible disruption to the ordinary course of Defendant’s duties and responsibilities. Unless any other arrangement is made agreeable to the parties, Plaintiffs designates **Levi Huebner & Associates PC, 488 Empire Boulevard, Suite 100, Brooklyn, NY 11225**, a place of convenience and mutually accommodating to the parties.

Plaintiffs further request that this inspection be permitted by Defendants immediately after Defendants response to this request has been filed, and that Plaintiffs’ attorneys be permitted to remove from Defendants custody such documents as they may desire to copy, on the understanding that Plaintiffs’ attorneys will be responsible for such documents so long as they are in their possession, that copying will be done at Plaintiffs’ expense, and that the documents will be promptly returned after copying has been completed.

DEMANDS

Pursuant to Rule 34 of the Federal Rules of Civil Procedure, Plaintiffs request that Defendants produce within thirty (30) days, the documents described herein and permit Plaintiffs and his attorneys to inspect and copy such documents as they may desire:

1. Any document that is connected to any transaction involving the property 1567 56th Street, Brooklyn, NY.
2. Any document that is connected to any transaction involving the property 1569 56th Street, Brooklyn, NY.

3. Any document that is part of any transaction involving any property that was purchased through borrowing on equity of the property 1567 56th Street, Brooklyn, NY.

4. Any document that is part of any transaction involving any property that was purchased through borrowing on equity of the property 1569 56th Street, Brooklyn, NY.

5. Such document includes, without limitation:

- a. Contract of sale conveying 1567 56th Street by 1567 56th Street, LLC to any party,
- b. Contract of sale conveying 1569 56th Street by 1567 56th Street, LLC to any party,
- c. Contract of sale conveying 1567 56th Street by 1569 56th Street, LLC to any party,
- d. Contract of sale conveying 1569 56th Street by 1567 56th Street, LLC to any party,
- e. Contract of sale involving the purchasing of any property or asset that used the equity in 1567 56th Street to purchase such property or asset,
- f. Contract of sale involving the purchasing of any property or asset that used the equity in 1569 56th Street to purchase such property or asset,
- g. Evidence of any deposit consummating any contract of sale involving the property 1567 56th Street,
- h. Evidence of any deposit consummating any contract of sale involving the property 1569 56th Street,
- i. Evidence of any deposit consummating any contract of sale involving the purchasing of any property or asset that used the equity in 1567 56th Street to purchase such property or asset,
- j. Evidence of any deposit consummating any contract of sale involving the purchasing of any property or asset that used the equity in 1569 56th Street to purchase such property or asset,
- k. Evidence of any proof of funds that was used to qualify Artur Spitzer for a mortgage,
- l. Evidence of any proof of funds that was used to qualify 1567 56 NY LLC for a mortgage,
- m. Proof of funding of that was transacted involving any mortgage on the property 1567 56th Street,

- n. Proof of funding of that was transacted involving any mortgage on the property 1569 56th Street,
- o. Proof of funding of that was transacted involving the purchasing of any property or asset that used the equity in 1567 56th Street to purchase such property or asset,
- p. Proof of funding of that was transacted involving the purchasing of any property or asset that used the equity in 1569 56th Street to purchase such property or asset,
- q. All closing statements involving conveying the property 1567 56th Street,
- r. All closing statements involving conveying the property 1569 56th Street,
- s. All closing statements involving the purchasing of any property or asset that used the equity in 1567 56th Street to purchase such property or asset,
- t. All closing statements involving the purchasing of any property or asset that used the equity in 1569 56th Street to purchase such property or asset,
- u. All proof of payments or receipt made for any encumbrance on the property 1567 56th Street,
- v. All proof of payments or receipt made for any encumbrance on the property 1569 56th Street,
- w. All closing statement involving encumbering the property 1567 56th Street,
- x. Any closing statement involving encumbering the property 1569 56th Street,
- y. All documents (*i.e.*, ledgers, journals, bank statements, etc.) involving the disbursement of any funds that were transacted in conveying the property 1567 56th Street to any party (including Arthur Spitzer and 1567 56 NY LLC),
- z. All documents (*i.e.*, ledgers, journals, bank statements, etc.) involving the disbursement of any funds that were transacted in conveying the property 1569 56th Street to any party (including Arthur Spitzer and 1567 56 NY LLC),
- aa. All documents (*i.e.*, ledgers, journals, bank statements, etc.) involving the disbursement of any funds that were transacted in encumbering the property 1567 56th Street to any party (including Arthur Spitzer and 1567 56 NY LLC),
- bb. All documents (*i.e.*, ledgers, journals, bank statements, etc.) involving the disbursement of any funds that were transacted in encumbering the

- property 1569 56th Street to any party (including Arthur Spitzer and 1567 56 NY LLC),
- cc. All documents involving any representation made in connection with encumbering the property 1567 56th Street,
 - dd. All documents involving any representation made in connection with encumbering the property 1569 56th Street,
 - ee. All documents (*i.e.*, ledgers, journals, bank statements, etc.) involving the payment or receipt of any commission or royalties (*i.e.* broker fees) that were transacted to any party as payment for encumbering the property 1567 56th Street to any party (including Arthur Spitzer and 1567 56 NY LLC),
 - ff. All documents (*i.e.*, ledgers, journals, bank statements, etc.) involving the payment or receipt of any commission or royalties (*i.e.* broker fees) that were transacted to any party as payment for encumbering the property 1569 56th Street to any party (including Arthur Spitzer and 1567 56 NY LLC),
 - gg. Any document related to an appraisal involving encumbering the property 1567 56th Street to any party (including Arthur Spitzer and 1567 56 NY LLC),
 - hh. Any document related to an appraisal involving encumbering the property 1569 56th Street to any party (including Arthur Spitzer and 1567 56 NY LLC),
 - ii. Any bank statement that is connected any transaction involving the property 1567 56th Street, Brooklyn, NY,
 - jj. Any bank statement that is connected any transaction involving the property 1569 56th Street, Brooklyn, NY,
 - kk. Any document evidencing the payment or receipt of any taxes for the property 1567 56th Street, Brooklyn, NY, and
 - ll. Any document evidencing the payment or receipt of any taxes for the property 1569 56th Street, Brooklyn, NY.

Dated: Brooklyn, New York
December 20, 2022

Respectfully submitted,
Levi Huebner & Associates PC

By: /s/ Levi Huebner

488 Empire Boulevard, Suite 100
Brooklyn, NY 11225
Phone: (212) 354-5555

Attorneys for Plaintiffs

To:

Law Offices of Yan Margolin
175 Varick Street
New York, NY 10014
(212) 964-6200
Yan@MargolinLawNY.com

Attorneys for Defendants

Josh Weinfeld, Isidore Bleier, and Rosa Funding LLC